

#12

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

FAX RECEIVED

TOGASHI et al.

Art Unit: 2652

MAY 07 2003

Application No.: 09/518,729

Examiner: A. Castro

PETITIONS OFFICE

Filed: March 3, 2000

Attorney Docket No.: 107156-00001

For: DISC CHANGER

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. 1.181

Attn: Office of Petitions
Commissioner for Patents
BOX DAC
Washington, D. C. 20231

Date: October 3, 2002

Sir:

This is in response to a Decision on Petition to Withdraw Holding of Abandonment dated August 20, 2002 (Paper No. 10). Upon further research, it has been discovered that the Office had been advised as to the change in correspondence address prior to the mailing of the Notice of Allowance. Applicants hereby submit a copy of an e-mail dated May 31, 2001 from the office of the undersigned to the U.S. Patent and Trademark Office which changes the undersigned's address for all of the listed cases. The above-identified application is specifically listed on page 11.

Applicants respectfully submit that the Notice of Allowance was never received by Applicant's Representative even after a change of the undersigned's address had been submitted prior to the issuance of the Notice of Allowance.

In view of the evidence submitted herewith showing that the Notice of Allowance was not received by Applicant's Representative prior to the expiration of the statutory

period for the payment of the Issue Fee and that the Notice of Allowance was not mailed to the proper address of record as of May 31, 2001, it is respectfully submitted that the abandonment of the application is improper. Therefore, it is respectfully requested that the abandonment of the application be withdrawn and a new Notice of Allowance be sent to the undersigned.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,
SIGNATURE ON ORIGINAL

George E. Oram, Jr.
Attorney for the Applicant
Registration No. 27,931

Customer No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, NW, Suite 400
Washington, D. C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810
GEO/lw

Enclosures:
E-mail Notification of Change of Name and Address

Drosos, Margaret

From: Drosos, Margaret
Sent: Thursday, May 31, 2001 11:35 AM
To: 'Stacy.Fuller@USPTO.GOV'
Subject: RE: Error Report for Customer Number 04372



04372Cusno.xls

Here it is. I hope I marked it appropriately so that it is clear.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]
Sent: Wednesday, May 30, 2001 9:35 AM
To: DrososM@ARENTFOX.COM
Subject: RE: Error Report for Customer Number 04372

Attached is the original error report. This is a new process for all of us and we'll get it figured out eventually.

Thank you very much for your assistance and you should have access to your files in PAIR by the beginning of next week.

Thanks again,
Stacy

-----Original Message-----

From: Fuller, Stacy
Sent: Tuesday, May 22, 2001 1:10 PM
To:
Subject: Error Report for Customer Number 04372

I have received your spreadsheet to associate your applications/patents with your customer number, and there are just a few more questions. There are a few files that are currently going to a different address for correspondence and we just have to do a little preventative maintenance to be absolutely sure that you do, in fact, want to update these files to your customer number.

Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

<<04372Cusno_Error(1).xls>>

04372Cusno.xls

09599806	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09382205	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09311723	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09339104	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09467143	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09354090	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
60174609	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09475185	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09420801	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09475187	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09292564	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09482008	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09534077	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
60151367	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
08945802	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08860732	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08869736	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09184282	NIKAIDO MARMELSTEIN MURRAY AND ORAM
60040139	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08786376	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08353254	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09252801	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08870382	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09359651	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09423314	NIKAIDO MARMELSTEIN MURRAY AND ORAM
60026516	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09381638	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09331587	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09420408	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP
09065606	NIKAIDO MARMELSTEIN MURRAY & ORAM
08099566	NIKAIDO, MARMELSTEIN, MURRAY & ORAM
09083120	NIKAIDO, MARMELSTEIN, MURRAY & ORAM
09731795	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09731752	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09731806	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09761711	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
08895707	THOMAS A WOOTTON
08840068	JORDAN AND HAMBURG, LLP
09404737	METROPOLITAN SQUARE
09386446	MURAT OZGU
09385011	NIKAIDO MARMELSTEIN MURRAY & ORAM
09518729	Nikado Marmelstein Murray & Oram LLP
09448170	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09463960	NIKAIDO MARLESTEIN MURRAY & ORAM
09441783	NIKAIDO MARMELSTEIN
09478516	NIKAIDO MARMELSTEIN
09468332	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09270272	NIKAIDO MARMELSTEIN MURRAY & ORAM
09270273	NIKAIDO MARMELSTEIN MURRAY & ORAM
09271382	NIKAIDO MARMELSTEIN MURRAY & ORAM
09394890	NIKAIDO MARMELSTEIN MURRAY & ORAM
09272100	NIKAIDO MARMELSTEIN MURRAY & ORAM

FACSIMILE TRANSMITTAL COVER SHEET

Date/Time: May 7, 2003, 2:27 PM

No. of Pages: 6 **FAX RECEIVED**
(Including Cover Sheet) **MAY 07 2003**

PLEASE DELIVER TO:

Name:

Kenya McLaughlin
USPTO - Petitions Branch

Fax Number:

703 308-6916

Verify Number:

PETITIONS OFFICE

Attorney Number: 1549 Client-Matter Number: Ser. No. 09/518,729 (107156-00001)

Hard Copy Sent: No

Comments:

As discussed, attached is a copy of the Request for Reconsideration under 37 CFR 1.181 together with a copy of the post card.

THIS FACSIMILE CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ADDRESSEE(S) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS FACSIMILE, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR COPYING OF THIS FACSIMILE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL FACSIMILE TO US AT THE ADDRESS BELOW VIA THE POSTAL SERVICE. THANK YOU.

Please Call Our Fax Operator As Soon As Possible If Transmission Is Not Complete:
202/857-6119

Arent Fox Kintner Plotkin & Kahn, PLLC
1050 Connecticut Avenue, NW, Washington, D.C. 20036-5339

Attorney Docket No. 107156-00001

U.S. Patent Application No.: 09/518,729

Filed: March 3, 2000 Applicants: TOGASHI et al.

Title: DISC CHANGER

Papers filed herewith on: October 3, 2002

The following papers are attached:

Request for Reconsideration Under 37 C.F.R. 1.181

Copy of email dated May 31, 2001

COMMISSIONER OF PATENTS

GEO/lw



28

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

TOGASHI et al.

Art Unit: 2652

Application No.: 09/518,729

Examiner: A. Castro

Filed: March 3, 2000

Attorney Docket No.: 107156-00001

For: DISC CHANGER

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. 1.181

Attn: Office of Petitions
Commissioner for Patents
BOX DAC
Washington, D. C. 20231

Date: October 3, 2002

Sir:

This is in response to a Decision on Petition to Withdraw Holding of Abandonment dated August 20, 2002 (Paper No. 10). Upon further research, it has been discovered that the Office had been advised as to the change in correspondence address prior to the mailing of the Notice of Allowance. Applicants hereby submit a copy of an e-mail dated May 31, 2001 from the office of the undersigned to the U.S. Patent and Trademark Office which changes the undersigned's address for all of the listed cases. The above-identified application is specifically listed on page 11.

Applicants respectfully submit that the Notice of Allowance was never received by Applicant's Representative even after a change of the undersigned's address had been submitted prior to the issuance of the Notice of Allowance.

In view of the evidence submitted herewith showing that the Notice of Allowance was not received by Applicant's Representative prior to the expiration of the statutory

period for the payment of the Issue Fee and that the Notice of Allowance was not mailed to the proper address of record as of May 31, 2001, it is respectfully submitted that the abandonment of the application is improper. Therefore, it is respectfully requested that the abandonment of the application be withdrawn and a new Notice of Allowance be sent to the undersigned.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,
SIGNATURE ON ORIGINAL

George E. Oram, Jr.
Attorney for the Applicant
Registration No. 27,931

Customer No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, NW, Suite 400
Washington, D. C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810
GEO/lw

Enclosures:

E-mail Notification of Change of Name and Address

Drosos, Margaret

From: Drosos, Margaret
Sent: Thursday, May 31, 2001 11:35 AM
To: 'Stacy.Fuller@USPTO.GOV'
Subject: RE: Error Report for Customer Number 04372



04372Cusno.xls

Here it is. I hope I marked it appropriately so that it is clear.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]
Sent: Wednesday, May 30, 2001 9:35 AM
To: DrososM@ARENTFOX.COM
Subject: RE: Error Report for Customer Number 04372

Attached is the original error report. This is a new process for all of us and we'll get it figured out eventually.

Thank you very much for your assistance and you should have access to your files in PAIR by the beginning of next week.

Thanks again,
 Stacy

-----Original Message-----

From: Fuller, Stacy
Sent: Tuesday, May 22, 2001 1:10 PM
To:
Subject: Error Report for Customer Number 04372

I have received your spreadsheet to associate your applications/patents with your customer number, and there are just a few more questions. There are a few files that are currently going to a different address for correspondence and we just have to do a little preventative maintenance to be absolutely sure that you do, in fact, want to update these files to your customer number.

Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

<<04372Cusno_Error(1).xls>>

04372Cusno.xls

09599606	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09382205	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09311723	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09339104	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09467143	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09354090	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
60174609	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09475185	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09420801	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09475187	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09292564	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09482008	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
09534077	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
60151367	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP
08945802	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08860732	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08869736	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09184282	NIKAIDO MARMELSTEIN MURRAY AND ORAM
60040139	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08786376	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08353254	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09252801	NIKAIDO MARMELSTEIN MURRAY AND ORAM
08870382	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09359651	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09423314	NIKAIDO MARMELSTEIN MURRAY AND ORAM
60026516	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09381638	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09331587	NIKAIDO MARMELSTEIN MURRAY AND ORAM
09420408	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP
09065606	NIKAIDO MARMELSTEIN MURRY & ORAM
08099566	NIKAIDO, MARMELSTEIN, MURRAY & ORAM
09083120	NIKAIDO, MARMELSTEIN, MURRAY & ORAM
09731795	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09731752	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09731806	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
09761711	NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP
08895707	THOMAS A WOOTTON
08840068	JORDAN AND HAMBURG, LLP
09404737	METROPOLITAN SQUARE
09386446	MURAT OZGU
09385011	NIKADO MARMELSTEIN MURRAY & ORAM
09518729	Nikado Marmelstein Murray & Oram LLP
09448170	NIKADO MARMELSTEIN MURRAY & ORAM LLP
09463960	NIKAIDO MARLESTEIN MURRAY & ORAM
09441783	NIKAIDO MARMELSTEIN
09478516	NIKAIDO MARMELSTEIN
09468332	NIKAIDO MARMELSTEIN MURAY & ORAM LLP
09270272	NIKAIDO MARMELSTEIN MURRAY & ORAM
09270273	NIKAIDO MARMELSTEIN MURRAY & ORAM
09271382	NIKAIDO MARMELSTEIN MURRAY & ORAM
09394890	NIKAIDO MARMELSTEIN MURRAY & ORAM
09272100	NIKAIDO MARMELSTEIN MURRAY & ORAM

FAX RECEIVED

MAY 07 2003

PETITIONS OFFICE

Attorney Docket No. 107156-00001

U.S. Patent Application No.: 09/518,729

Filed: March 3, 2000 Applicants: TOGASHI et al.

Title: *DISC CHANGER*

Papers filed herewith on: October 3, 2002

The following papers are attached:

Request for Reconsideration Under 37 C.F.R. 1.181

Copy of email dated May 31, 2001

COMMISSIONER OF PATENTS

GEO/lw



FACSIMILE TRANSMITTAL COVER SHEET

Date/Time: May 7, 2003, 2:27 PM

No. of Pages: 6
(Including Cover Sheet)

PLEASE DELIVER TO:

Name:

Kenya McLaughlin
USPTO - Petitions Branch

Fax Number:

703 308-6916

Verify Number: **FAX RECEIVED**

MAY 07 2003

PETITIONS OFFICE

Attorney Number: 1549 Client-Matter Number: Ser. No. 09/518,729 (107156-00001)

Hard Copy Sent: No

Comments:

As discussed, attached is a copy of the Request for Reconsideration under 37 CFR 1.181 together with a copy of the post card.

THIS FACSIMILE CONTAINS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ADDRESSEE(S) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS FACSIMILE, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR COPYING OF THIS FACSIMILE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL FACSIMILE TO US AT THE ADDRESS BELOW VIA THE POSTAL SERVICE. THANK YOU.

Please Call Our Fax Operator As Soon As Possible If Transmission Is Not Complete:
202/857-6119

Arent Fox Kintner Plotkin & Kahn, PLLC
1050 Connecticut Avenue, NW, Washington, D.C. 20036-5339